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UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Naoki TAKAHASHI**

Art Unit: **2871**

Application No.: **10/576,614**

Examiner: **Timothy L. Rude**

Filed: **April 21, 2006**

Confirmation No.: **4330**

For: **OPTICAL ELEMENT, LIGHT CONDENSATION BACKLIGHT
SYSTEM, AND LIQUID CRYSTAL DISPLAY**

Attorney Docket Number: **062427**
Customer Number: **38834**

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

March 24, 2009

Sir:

This paper is submitted in response to the Official Action dated February 25, 2009, and having a response due date set for March 25, 2009.

In the Office Action, Applicant is required to elect one of the species listed below:

Species A Fig. 16;

Species B Fig. 17;

Species C Fig. 18; and

Species D Fig. 19.

Applicant hereby elects to prosecute the Species C, Fig. 18. Claims 1-31 appear to read on the elected embodiment.

This election is made *with* traverse because the election does not assist in the search of the prior art.

The difference among Species A-D lies in their light sources. Figs. 16-18 are only an exemplification of light sources. Fig. 16 shows a case where a direct under type backlight (L) is employed as a light source (L). Fig. 17 shows a case where a sidelight type light source (L) is employed as a light guide plate (S). Fig. 18 shows a case where a surface light source (L) is employed. Fig. 19 shows a case where a prism sheet (Z) is employed. Therefore, these species are not patentably distinct. Applicant therefore respectfully suggests that the Examiner consider the prior art without limiting himself to Species C.

Applicant's right to the filing of a Divisional application directed to the non-elected subject matter under 35 U.S.C. §120 and 35 U.S.C. §121 are retained.

If this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. If any additional fees are due in connection with this paper, please charge Deposit Account No. 50-2866.

Respectfully submitted,
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